

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

CHRISTOPHER PALMERTREE

PLAINTIFF

v.

CIVIL ACTION NO. 1:21-CV-188-SA-RP

BIG RIVER STEEL, LLC; and
MARK STARNES, Individually

DEFENDANTS

ORDER

On December 15, 2021, Christopher Palmertree initiated this action by filing his Complaint [1] against his former employer, Big River Steel, and Mark Starnes (Big River Steel’s Day Time Supervisor). Averring that his employment was illegally terminated, Palmertree asserts an FMLA claim against Big River Steel and a tortious interference with employment claim against Starnes.

On March 28, 2022, the Defendants jointly filed a Motion to Dismiss [8]. In their Motion [8], the Defendants contend that this Court lacks personal jurisdiction over them because they are both Arkansas residents for purposes of the jurisdictional analysis and neither of them have any connection to Mississippi. They argue that Big River Steel “employed Palmertree as a Caster Operator at its steel mill in Osceola, Arkansas from 2016 to 2021. . . The *only* connection this Court has to this lawsuit is that Palmertree allegedly resides in the Northern District of Mississippi. However, Fifth Circuit courts have consistently held that a plaintiff’s residence in a forum is insufficient to establish personal jurisdiction or proper venue in that forum.” [9] at p. 2 (emphasis in original).

Palmertree’s deadline to respond to the Motion [8] has long passed, yet he has not filed a response. The Court has reviewed the Defendants’ arguments, and they appear to be in accordance with the applicable law.

Palmertree is hereby ORDERED to file a response setting forth his position as to the pending Motion [8] within seven (7) days of today's date.¹ Should Palmertree fail to respond, the Court intends to grant the Motion [8] and dismiss the case.

SO ORDERED, this the 3rd day of June, 2022.

/s/ Sharion Aycock

UNITED STATES DISTRICT JUDGE

¹ The Defendants shall be permitted to file a reply within seven (7) days of Palmertree's response, should they choose to do so.